

1 ALEXANDER G. CALFO (SBN 152891)

ACalfo@yukelaw.com

2 KELLEY S. OLAH (SBN 245180)

KOlah@yukelaw.com

3 YUKEVICH CALFO & CAVANAUGH

355 S. Grand Avenue, 15th Floor

4 Los Angeles, CA 90071-1560

Telephone: (213) 362-7777

5 Facsimile: (213) 362-7788

6 Attorneys for Defendant

DEPUY ORTHOPAEDICS, INC.

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9 **UNITED STATES DISTRICT COURT**

10 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

11
12 PAMELA ELLIOTT and ROBERT
ELLIOTT,

13 Plaintiffs,

14 vs.

15 DEPUY ORTHOPAEDICS, INC.,
16 THOMAS P. SCHMALZRIED, M.D.
A PROFESSIONAL CORPORATION, and
17 DOES 1 through 20, inclusive,

18 Defendants.

CASE NO. 5:11-CV-01740-JF

**PROPOSED ORDER RE: STIPULATION
TO STAY PROCEEDINGS**

Hon. Jeremy Fogel

Action Filed: March 9, 2011

Trial Date: None

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20 Upon consideration of the Stipulation to Stay Proceedings submitted by Plaintiffs
21 PAMELA ELLIOTT and ROBERT ELLIOTT; Defendant DEPUY ORTHOPAEDICS, INC.; and
22 Defendant THOMAS P. SCHMALZRIED, M.D. (hereafter collectively "the Parties"); upon
23 consideration of all documents, files, and pleadings in this action; and upon good cause shown, it
24 is hereby ORDERED that:

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1. The Parties' request for a stay of proceedings is GRANTED;
2. All proceedings in this action are hereby stayed, pending resolution of the motion to create a Pinnacle Cup System MDL proceeding.

IT IS SO ORDERED.

Dated: 5/4, 2011



Judge Jeremy Fogel

Respectfully submitted by,

DATED: April 28, 2011

YUKEVICH CALFO & CAVANAUGH

By:


Alexander G. Calfo
Kelley S. Olah
Attorneys for Defendant DEPUY
ORTHOPAEDICS, INC.

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 355 South Grand Avenue, Fifteenth Floor, Los Angeles, California 90071-1560.

On April 28, 2011, I served true copies of the following document(s) described as **PROPOSED ORDER RE: STIPULATION TO STAY PROCEEDINGS** on the interested parties in this action as follows:

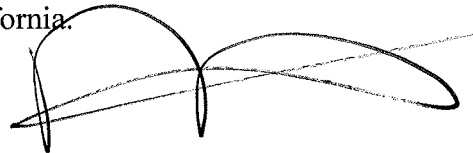
Kenneth M. Seeger
Brian J. Devine
SEEGER • SALVAS LLP
455 Market Street, Suite 1530
San Francisco, CA 94105

Attorneys for Plaintiffs
PAMELA ELLIOTT and ROBERT ELLIOTT
T: (415) 981-9260
F: (415) 981-9266

BY CM/ECF for parties that are CM/ECF participants. Service is being made electronically on those parties on the attached list that are registered users of the Court's Electronic Case Filing System.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on April 28, 2011, at Los Angeles, California.



Deanna Castellanos